

**IOWA RACING AND GAMING COMMISSION  
MINUTES  
APRIL 13, 2017**

The Iowa Racing & Gaming Commission (IRGC) met on Thursday, April 13, 2017 at the Mid-America Center in Council Bluffs, Iowa. Commission members present were Richard Arnold, Chair; Kris Kramer, Vice Chair; and members Carl Heinrich and Jeff Lamberti. Commissioner Dolores Mertz was excused.

Chair Arnold called the meeting to order at 8:30 AM. Mayor Matt Walsh welcomed the Commission to Council Bluffs. He stated visitors to the city only had to look around the community and other communities around the state to see the benefits of the work conducted by the Commission.

Chair Arnold moved to the approval of the agenda. Commissioner Heinrich moved to approve the agenda as presented. Commissioner Kramer seconded the motion, which carried unanimously.

Chair Arnold moved to the approval of the minutes from the March 6-7, 2017 Commission meeting. Commissioner Kramer moved to approve the minutes as submitted. Commissioner Heinrich seconded the motion, which carried unanimously.

Chair Arnold moved to Announcements and called on Brian Ohorilko, Administrator of IRGC, who provided the following information regarding future Commission meetings:

- No meeting in May
- June 15, 2017 – IOC Bettendorf (Submissions due by June 1<sup>st</sup>)

Mr. Ohorilko announced the meeting dates for Fiscal Year 2018:

July 13, 2017	Prairie Meadows Racetrack & Casino, Altoona
August 24, 2017	Riverside Casino & Golf Resort, Riverside
September 26, 2017	Cedar Rapids Site Visits/Public Comment
October 12, 2017	Wild Rose Emmetsburg, Emmetsburg
November 16, 2017	Dubuque Diamond Jo, Dubuque
January 4, 2018	Prairie Meadows Racetrack & Casino, Altoona
March 6, 2018	Prairie Meadows Racetrack & Casino, Altoona
April 19, 2018	Ameristar Casino, Council Bluffs

June 14, 2018

Hard Rock Hotel & Casino, Sioux City

He advised the dates would be posted on the Commission's website.

Mr. Ohorilko provided the following timeline for the Linn County application process:

- July 13 – Applicants to give presentations
- September 26 – Site Visits, Public Comment, and Question & Answer for Commissioners
- October 12 – Receive the results of the gaming market studies, receive DCI background investigation reports
- November 16 – Decision

Mr. Ohorilko recognized the following staff in attendance: Gaming Representatives at Ameristar: Bryan Crowdy and Lynette Masker; Gaming Representatives at Horseshoe Casino: Cory Ostermeyer and Carol Fajen; Gaming Representatives at Harrah's: Julie Petersen and Jeff Rethmeier; and Licensing Assistant Linda Baxter. He thanked them for their work on behalf of the Commission.

Chair Arnold moved to the selection of the companies to perform the gaming market analysis. Commissioner Lamberti stated the Commission was pleased by the number of qualified applicants that responded to the Request for Proposal. He noted the Commission took the quality of the presentation and cost into consideration in making their decision. He stated it was important to strike a balance between a company who is familiar with what has occurred over the last few years but also to get a new perspective. Commissioner Lamberti stated he felt it was a good idea to select more than one vendor. Commissioner Lamberti moved to select WhiteSand Gaming and Marquette Advisors Inc. to conduct the market analysis. Commissioner Kramer seconded the motion.

Chair Arnold stated he concurred with Commissioner Lamberti's comments and feels both companies are very good. He called for the vote. The motion carried unanimously.

Chair Arnold moved to a review of the licensee's financial audits and called on Ameristar Casino Council Bluffs, LLC. Kendra Stronach, Director of Finance, advised they completed their VIP Lounge, several maintenance projects and have some underway for 2017; and there are additional projects yet to be approved by the Commission. She stated their community spend in 2016 was \$46 million, including \$34 million to the State and \$5 million to the Iowa West Foundation. Payroll and benefits totaled \$6 million. She advised their market share was up slightly year over year even though the total market share for the area decreased. Ms. Stronach advised 2016 was a good year and they are looking forward to 2017.

Hearing no comments or questions for Ms. Stronach, Chair Arnold called on Catfish Bend Casinos II, L.C. Rob Higgins and Donald Spears, General Manager and Controller respectively were present to address the financial audit. Mr. Higgins noted revenue was down approximately 3.5% from last year. He stated there are approximately \$18 million in renovations occurring on

the property, including a new 69-room Hampton Inn, Panera Bread and Cold Stone Creamery being built on the campus.

Hearing no comments or questions for Mr. Higgins, Chair Arnold called on Diamond Jo, LLC d/b/a Diamond Jo Casino. Kim Pang, General Manager for Diamond Jo Worth, advised gross gaming revenue was down .9%, or approximately \$1.1 million; admissions dropped 71,000 from 987,000 to 916,000. Total economic impact was about \$47.5 million, with 99.1% spent in the State and with local vendors. Diamond Jo had 322 full-time employees resulting in payroll and benefits of \$12.7 million. Capital expenditures were \$2 million, and they made a payment to Dubuque Racing Association (DRA) of \$3.29 million. For 2017, they will have the usual \$2 million operating expense to keep the property fresh, and will be doing an additional \$2 million for the new restaurant/bar and changing the deli to a Subway.

Hearing no comments or questions for Mr. Pang, Chair Arnold called on Diamond Jo Worth, LLC d/b/a Diamond Jo Worth. Mr. Pang advised gross gaming revenue was down 1.6% or \$3.2 million; gross revenue was down 1.8% from the prior year; admissions were down 1% or 13,000; and visitors were at 1,257,000 versus 1,277,000 the prior year. Total economic impact was approximately \$51.7 million with 90% being within the state and local vendors. Total payroll and benefits for 380 employees was \$12.5 million. Capital expenditures for 2016 were \$3.1 million, mostly in slot product. Mr. Pang advised they paid Worth County Development Authority (WCDA) just under \$4.9 million. He noted WCDA has awarded 74 community grants within Worth County and the surrounding counties totaling about \$1.8 million. In 2016, Worth County high school graduates received approximately \$673,000 in scholarships toward their college education. For 2017, Diamond Jo Worth will spend about \$2.3 million for capital expenditures, mostly for slot product.

Hearing no questions for Mr. Pang, Chair Arnold called on the DRA. Bill Eichhorn, Director of Finance, advised they had a 1% decline in overall revenue for 2016. They had several capital projects; the main ones were replacing the carpeting in the casino and surveillance system. Mr. Eichhorn noted their economic impact was approximately \$43 million with 94% within the State of Iowa. For the coming year, they are renovating the Hilton Garden Inn, which will include all of the guest rooms. The main areas of the hotel have already been completed. For distributions, DRA gave out approximately \$9.8 million between the city and charities. Mr. Eichhorn stated they did receive \$3 million from their co-licensee, Diamond Jo. They paid \$6.5 million in wages; \$10.2 million in gaming taxes and regulatory fees, and the third installment of \$1 million to the Iowa Greyhound Association.

Hearing no questions for Mr. Eichhorn, Chair Arnold called on Harveys Iowa Management Company, Inc. d/b/a Harrah's Council Bluffs Casino and Hotel (Harrah's). Janae Sternberg, Director of Finance, noted Harrah's was still operating under the bankruptcy environment during 2016, but are experiencing minimal impact at this point. They are looking forward to emerging from bankruptcy later this year. Ms. Sternberg noted operations were relatively flat year over year; down slightly from a gross gaming revenue standpoint. Capital spend was \$2.7 million; the bigger projects were an upgrade to the digital surveillance system, all new casino chairs, slot machines and maintenance on the building. For 2017, capital expenditures will be for routine

maintenance on the building. Taxes paid in 2016 were \$23 million; payroll was \$14 million and Iowa spend was \$10 million.

Hearing no questions for Ms. Sternberg, Chair Arnold called on HGI-Lakeside, LLC. Lisa Ryan, Controller, was present to address any questions on the audit.

Hearing no questions for Ms. Ryan, Chair Arnold called on SCE Partners, LLC d/b/a Hard Rock Hotel & Casino Sioux City. Kevin Sweet, Director of Finance, advised they saw a growth of approximately 8% in revenues. The facility had approximately 550 FTEs last year with about \$12 million in payroll. Mr. Sweet stated the VIP expansion project is close to being completed; that was a \$6 million capital expenditure. He advised 85% of purchases were made with Iowa vendors.

Hearing no questions for Mr. Sweet, Chair Arnold called on Wild Rose Clinton, L.L.C. Tom Timmons and Scott Ivers, President and Chief Financial Officer of Wild Rose Entertainment respectively, were present to address the financial audits. Mr. Timmons stated he would also be addressing the audits for Wild Rose Emmetsburg, L.L.C. and Wild Rose Jefferson, L.L.C.

- Wild Rose Clinton: Gaming revenue declined 5% over the previous year due to the VGT machines in Illinois, and the opening of the new properties in Davenport and Bettendorf. Mr. Timmons stated they are starting to see a little comeback after the first of the year.
- Wild Rose Emmetsburg: Revenues were down approximately 3.5% with about one-half being due to the opening of the Jefferson property, which they expected. Mr. Timmons advised there are numerous synergies between the two properties. He advised Emmetsburg is also experiencing a little bit of a comeback.
- Wild Rose Jefferson: Mr. Timmons noted this is the first full year of operation at the property. Revenues were between \$28-29 million, where they thought they would be.

Hearing no questions for Mr. Timmons, Chair Arnold called on Riverside Casino & Golf Resort, LLC. Dan White, Chief Financial Officer for Elite Casino Resorts, LLC, advised the audit is done on a consolidated basis and includes Riverside Casino & Golf Resort, Grand Falls Casino & Golf Resort and Rhythm City Casino Resort. He noted the company received a clean opinion for 2016 with no internal control conflicts. Mr. White stated there is no comparison to 2015 as Elite Casino was formed in June 2015. He stated overall gross revenue increased approximately 5% over 2015 when compared to 2016; gaming revenue increased by 3.5%; non-gaming revenue increased 12.6%; operating expenses increased by 14%; payroll totaled \$51 million for 2016, an increase of 14% year over year; \$7.5 million paid in non-profit fees; and capital expenditures were \$2.6 million. Mr. White stated there were approximately 1,600 employees between the three properties. In 2016, Riverside celebrated its ten year anniversary; Grand Falls celebrated its five year anniversary, and Rhythm City had the grand opening of the land-based facility.

Hearing no questions for Mr. White, Chair Arnold called on Horseshoe Casino. Ms. Sternberg advised revenues decreased approximately 4.5%; the property is still operating under the

bankruptcy environment and pulled back on their marketing spend. The facility is looking forward to emerging from bankruptcy in the latter half of the year. She expressed her hope that everyone had gone to the property to see the construction for the new High Limit Gaming Room opening at the end of May and the simulcast facility opening at the beginning of May. Ms. Sternberg stated the capital infusion should continue over the next few years. She noted the facility spent \$1.7 million on capital expenditures in 2016; they upgraded the digital surveillance system, added new slot machines and did some building maintenance. They made \$49 million in tax payments; \$20 million in payroll; and \$12 million was spent with Iowa vendors.

Hearing no questions for Ms. Sternberg, Chair Arnold called on the Iowa West Racing Association (IWRA). Pete Tulipana, Executive Director, advised they saw a decrease in cash distributions to the Iowa West Foundation from casino revenues. He advised revenues were flat in 2016, and remain flat so far in 2017.

Hearing no questions for Mr. Tulipana, Chair Arnold called on the Iowa Greyhound Association. Brian Carpenter, General Manager for Iowa Greyhound Park, advised they saw an increase of approximately \$2 million in handle. He stated they have also made improvements to the grandstand for the upcoming live meet, and purchased some equipment for track maintenance.

Chair Arnold noted this is the second year there have been issues with the audit. He asked what steps were being taken to correct them. Mr. Carpenter advised the auditing company informed management right away this year. He indicated a meeting was held with the third-party accounting company. Mr. Carpenter advised a plan had been drawn up and has been presented to the Board. They are looking at going with a different group, possibly with a management company.

Chair Arnold stated the Commission would like to see the issues corrected by next year.

Chair Arnold called on Prairie Meadows Racetrack & Casino, Inc. (PMR&C). Brian Wessels, Director of Finance, stated 2016 was a very good year; casino revenues were up 2.3%. They paid gaming taxes and regulatory fees of \$46.3 million; community betterment grants of \$36 million, which includes the lease payment to Polk County; and payroll and benefits totaled \$60.4 million. At the end of the year the facility had 1,230 employees. In 2016, PMR&C invested \$8.8 million in the property.

Hearing no questions for Mr. Wessels, Chair Arnold moved to the contract approvals. Commissioner Heinrich stated he was very encouraged by the re-investment in the various properties, and appreciates their efforts to make their purchases with Iowa vendors.

Chair Arnold called on IOC Bettendorf, L.C. (IOCB). Todd Connelly, General Manager of IOC Waterloo, presented the following contracts on behalf of IOCB:

- Airgas National Carbonation – Liquid Co2 on New Casino Floor
- Marlin Business Bank – Finance Company Handling Payments for 2<sup>nd</sup> Wind Exercise Contract

Hearing no comments or questions for Mr. Connelly, Chair Arnold requested a motion. Commissioner Kramer moved to approve the contracts as submitted by IOCB. Commissioner Heinrich seconded the motion, which carried unanimously.

Chair Arnold called on the DRA. Mr. Eichhorn presented a contract with US Foods for food purchases for Commission approval.

Hearing no comments or questions for Mr. Eichhorn, Chair Arnold requested a motion. Commissioner Heinrich moved to approve the contract as submitted by DRA. Commissioner Kramer seconded the motion, which carried unanimously.

Chair Arnold called on IOC Black Hawk County, Inc. (IOCW). Mr. Connelly presented a contract with Halverson Trane for a maintenance and inspection agreement for the HVAC system for Commission approval.

Hearing no comments or questions for Mr. Connelly, Chair Arnold requested a motion. Commissioner Kramer moved to approve the contract as presented by IOCW. Commissioner Lamberti seconded the motion, which carried unanimously.

Chair Arnold called on Ameristar Casino Council Bluffs, LLC (Ameristar). Monty Terhune, General Manager, presented the following contracts for Commission approval:

- Agilysys – IT Support and Software
- ASI, LLC d/b/a Ameritex Services – Laundry Services
- B & J Properties – Offsite Warehouse Lease
- Cummins Allison – Count Room Equipment
- Meat by Linz – Meat Provider
- Wells Fargo Bank (WFB-PCard) – Employee Credit Cards

Hearing no comments or questions for Mr. Terhune, Chair Arnold requested a motion. Commissioner Heinrich moved to approve the contracts as submitted by Ameristar. Commissioner Kramer seconded the motion, which carried unanimously.

Chair Arnold called on Wild Rose Clinton, L.L.C. (WRC). Mr. Timmons presented the following contracts for Commission approval:

- Everi/Global Cash – Cash Access Services
- Clinton National Bank – Bank Services and Credit Cards
- PC Connections – Equipment for Video TV Wall

Mr. Timmons stated the last contract is with an out-of-state vendor, and advised they did take bids. The contract is for televisions for the video wall in the Coaches Corner for the simulcasting of races.

Hearing no comments or questions for Mr. Timmons, Chair Arnold requested a motion. Commissioner Kramer moved to approve the contracts as submitted by WRC. Commissioner Lamberti seconded the motion, which carried unanimously.

Chair Arnold called on Wild Rose Emmetsburg, L.L.C. (WRE). Mr. Timmons presented a contract with The Printer, Inc. for printing services for mailers for Commission approval.

Hearing no comments or questions, Chair Arnold requested a motion. Commissioner Lamberti moved to approve the contract as submitted by WRE. Commissioner Heinrich seconded the motion, which carried unanimously.

Chair Arnold called on Rhythm City Casino, LLC (RC). Mo Hyder, General Manager, presented the following contracts for Commission approval:

- Bakemark USA LLC – Bakery Supplies and Goods
- Fleck Sales – Beverage Purchases
- Hy-Vee – Alcoholic Beverages, Gift Cards and Lottery Tickets
- Prairie Farms Dairy – Dairy and Food Purchases

Hearing no comments or questions, Chair Arnold requested a motion. Commissioner Kramer moved to approve the contracts as submitted by RC. Commissioner Lamberti seconded the motion, which carried unanimously.

Chair Arnold called on Riverside Casino & Golf Resort, LLC (RCGR). Dan Franz, General Manager, presented the following contracts for Commission approval:

- Global Payments Inc. – Redemption Kiosks
- Kluesner Construction, Inc. – Asphalt Overlay Driveways and Parking Areas
- OfferCraft, LLC – Software & Services Agreement

Hearing no comments or questions, Chair Arnold requested a motion. Commissioner Heinrich moved to approve the contracts as submitted by RCGR. Commissioner Kramer seconded the motion, which carried unanimously.

Chair Arnold called on HGI-Lakeside, LLC (Lakeside). Ms. Ryan presented the following contracts for Commission approval:

- AJ's Cleaning & Restoration – Deep Cleaning Service
- Des Moines Asphalt & Paving – Repaving Parts of the Parking Lot
- Mid-Iowa Refrigeration Inc. d/b/a Goodwin Tucker – Repairs and Maintenance Work on Property

Hearing no comments or questions, Chair Arnold requested a motion. Commissioner Kramer moved to approve the contracts as submitted by Lakeside. Commissioner Lamberti seconded the motion, which carried unanimously.

Chair Arnold called on Harrah's. Ms. Sternberg presented the following contracts for Commission approval:

- Sigmar Solutions – Marketing and Promotional Items
- Novitex – Copy and Print Services

Hearing no comments or questions, Chair Arnold requested a motion. Commissioner Heinrich moved to approve the contracts as submitted by Harrah's. Commissioner Kramer seconded the motion, which carried unanimously.

Chair Arnold called on the IWRA d/b/a Horseshoe Casino/William Hill. Ms. Sternberg presented the following contracts for Commission approval:

- Sigmar Solutions – Marketing and Promotional Items
- Novitex – Copy and Print Services
- Bizco – Install Video Wall, Audio and HD Modulators at Casino Race Book

Hearing no comments or questions, Chair Arnold requested a motion. Commissioner Kramer moved to approve the contracts as submitted by IWRA d/b/a Horseshoe Casino/William Hill. Commissioner Lamberti seconded the motion, which carried unanimously.

Chair Arnold called on the IGA d/b/a Iowa Greyhound Park for an update on the live race meet. Mr. Carpenter advised the kennel compound opened on April 1<sup>st</sup>; the same ten kennels from 2016 were invited back. Morning schooling commenced on Monday, April 3<sup>rd</sup>. He noted five of the ten kennels have been in with their dogs; it is mostly puppies that are schooling right now. Official schooling will start on April 29<sup>th</sup> with live racing starting on May 13<sup>th</sup>. The schedule remains the same as last year. Mr. Carpenter stated there is over \$100,000 to be given out in stakes money plus the Iowa Breeders Cup, which is usually over \$100,000. Mr. Carpenter noted they have added additional OTB facilities that will be taking the signal and specifically the first OTB in Iowa at the Wild Rose Clinton property. He noted the first weekend was very good and hopefully will draw some individuals from Illinois. Mr. Carpenter stated investments were made in the grandstand by adding some TVs down the middle, as well as to the tables and back wall, and some new self-tellers at the east end. He advised they also added some counter-top stands as many people like to stand to make their wagers versus sitting. They were experiencing a significant amount of glare on the TVs from the floor so they painted the ceiling black, which cut the amount of glare down significantly. Mr. Carpenter advised they purchased a grader for the maintenance staff to help bank the turns, making the track safer for the dogs.

Chair Arnold called on PMR&C for an update on the upcoming thoroughbred meet and contract approvals. Derron Heldt, Director of Racing, advised stall applications from owners and trainers were due March 15<sup>th</sup>; they received 1,700 applications for the 1,350 available stalls. He stated

staff has been calling the owners and trainers trying to get a better handle on the number of horses they are bringing in order to reach the 1,350 mark. Mr. Heldt stated there is going to be around 98 trainers. The barn area opened on March 31<sup>st</sup>; the training track opened on April 2<sup>nd</sup> for the horses that are starting to arrive; and the main track opened on April 9<sup>th</sup>. He stated there are approximately 400 horses on the backside at this time, representing about 38 trainers. He advised the next couple of weeks would be very busy as two of the feeder tracks, Sunland Park Racetrack in El Paso, Texas and Oaklawn Park in Hot Springs, Arkansas, will be finishing their meets. Approximately 40% of the horses that race at PMR&C come from these two tracks. Mr. Heldt stated PMR&C is optimistic as this year has a different feeling. People that have committed from other states are making plans and shipping horses to race here. He feels they will have their inventory on the backside at capacity or slightly over which is better than in previous years.

Mr. Heldt stated the post times would be a little different this year. The Thursday and Friday post times last year were at 5:30 PM; he noted concerns were voiced by the horsemen and patrons. They have moved the post time back to 6:00 PM this year. He noted the Kentucky Derby falls on the second weekend of racing this year. There are some Iowa connections in the Kentucky Derby this year; it is possible the Albaugh Family from Ankeny could have a horse participating. Additionally, there is a new trainer at PMR&C that came from Sunland Park that had a horse run in a derby there who has enough points to run in the Kentucky Derby. This would be the first time a trainer stabled at PMR&C would have a horse in the Kentucky Derby.

Mr. Heldt stated PMR&C has a new promotion – The Prairie Meadows Racing Club. In January, the Racing and Marketing Departments worked closely to create the new club, which is a 501c club. It is a social and educational club where individuals are asked to pay \$300 to join. There are currently 84 members, giving the club approximately \$10,000 to buy or claim a horse that would race in the Prairie Meadows Racing Club name. Mr. Heldt stated the concept has been very successful at other racetracks around the country. PMR&C views this as a way to introduce individuals to horse ownership, and possibly attract some that may not have participated in racing before. There are events planned every month. They have hired Kelly Von Hemel, a Hall of Fame trainer in Iowa, to be the trainer for the club and he is in the process of looking for a horse to buy or claim.

Chair Arnold moved to the contracts. Mr. Wessels presented the following contracts for Commission approval:

- Control Installations of Iowa – Surveillance Equipment
- Great America Financial – Printing Equipment Leased from Infomax
- Insurance Office of America (IOA) – Jockey's Accident Insurance
- True North Companies – Insurance Brokerage Services
- Underground Company – Track Drainage Repair

Hearing no comments or questions, Chair Arnold requested a motion. Commissioner Kramer moved to approve the contracts as submitted by PMR&C. Commissioner Lamberti seconded the motion, which carried unanimously.

Chair Arnold moved to Public Comment. Joan Foster addressed the Commission regarding the Greyhound Cessation Fund Hardship Claims. She stated she is aware Public Comment is for current issues, but she wanted to do her homework on the issue and the proximity of the meetings prevented her from doing so until now. Ms. Foster noted that between April and October 2016, the Commission heard 16 hardship claims for payment from the Greyhound Cessation Fund, but only seven were approved. She stated the majority of the claims were denied as the individual would be receiving annual payments, which would be received 16 months after the track closed. She asked the Commission to clarify how individuals submitting claims did not qualify due to the fact they would be receiving a check in 16 months.

Commissioner Lamberti stated the Commission will stand by their decisions as reflected in the minutes. One of the considerations taken into account in making those decisions was whether individuals were eligible for other payments outside of the hardship funds. It did not have anything to do with the timing; the timing was based on the rules adopted by the Commission and the legislation passed by the Legislature. He stated the rules indicated when the hardship claims needed to be submitted, and per the rules, have been closed for quite some time. He indicated he was not sure what her question was.

Ms. Foster stated the legislation said “industry participants are eligible to receive up to \$100,000 from the Commission if they can demonstrate the need to be compensated due to hardships caused by the closing of the pari-mutuel track, the dog racetrack located in Pottawattamie County.” She noted that passage does not say anything about whether the individual is eligible to receive future payments. Ms. Foster stated the Commission paid one gentleman \$80,000 who is getting disability payments, and had a job at that time. She stated there was no consistency in the decisions. She questioned how the Commission could tell someone they were not having a hardship at that time when they would be receiving a payment in 16 months. Ms. Foster stated she did not think there was any answer that would justify the decisions; that there was a lot of unfair treatment.

Commissioner Lamberti stated that was one of many factors considered in making their decisions. The reasons for the decisions were set forth at that time. He advised that pursuant to the legislation and the rules, the Commission had the discretion to make those decisions.

Ms. Foster stated she was bothered by some of the decisions; and still doesn’t understand. She noted the only individuals that received money didn’t have anything to do with the dogs directly. The last individual to receive a payment boards greyhounds in Dubuque County, and earned approximately \$5,000 per year from doing so. The Commission awarded him \$15,000; he is also received an annual payment of \$54,011. He was the only recipient of hardship funds that also received an annual payment. Ms. Foster stated the Commission did not ask him if he was going to receive funds from the annual payment, but did ask everyone else. She again asked where the consistency was.

Commissioner Lamberti stated he did not have the facts in front of him regarding the particular cases she is referring to, and is not going to reopen them at this late date. He stated the Commission is going to stand by the decisions that were made.

Ms. Foster stated she was not asking the Commission to change anything; but also stated he should not need anything in front of him to tell her how the determinations were made.

Commissioner Lamberti stated he did tell her how the determinations were made.

Ms. Foster thanked the Commission for their time, telling them they would hear from her again.

Chair Arnold moved to Administrative Business, and called on Mr. Ohorilko. Mr. Ohorilko advised the Commission received one application for the Horse Racing Promotion Fund – the Iowa Thoroughbred Breeders and Owners Association (ITBOA). He noted they are eligible to receive the funds in the amount of \$1,771.41. He requested a motion for approval of the distribution of the funds.

Commissioner Lamberti moved to approve the distribution of the Horse Racing Promotion fund in the amount of \$1,771.41 to the ITBOA. Commissioner Kramer seconded the motion, which carried unanimously.

As there was no further business to come before the Commission, Chair Arnold requested a motion to adjourn. Commissioner Kramer so moved. Commissioner Heinrich seconded the motion, which carried unanimously.

MINUTES TAKEN BY:

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JULIE D. HERRICK